

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

SECURITIES AND EXCHANGE
COMMISSION,

Plaintiff,

V.

JOHN M. FIFE, CHICAGO VENTURE
PARTNERS, L.P., ILIAD RESEARCH AND
TRADING, L.P., ST. GEORGE
INVESTMENTS LLC, TONAQUINT, INC.,
AND TYPENEX CO-INVESTMENT, LLC,

Defendants.

Civil Action No. 1:20-cv-05227

Honorable Nancy L. Maldonado

Honorable Heather K. McShain

JOINT AGREED MOTION TO EXTEND FACT DISCOVERY DEADLINE

Plaintiff United States Securities and Exchange Commission (“SEC”) and defendants John M. Fife, Chicago Venture Partners, L.P., Iliad Research and Trading, L.P., St. George Investments LLC, Tonaquint, Inc., and Typenex Co-Investment, LLC (collectively, “Defendants,” and, together with the SEC, “the Parties”), through their respective counsel, jointly and respectfully request that this Court enter an order extending the fact discovery deadline from June 16, 2023 to October 16, 2023. In support of their motion, the Parties state as follows:

1. Fact discovery in this case commenced on March 7, 2022. The original deadline for completion of fact discovery was December 16, 2022. (Docket No. 37.) Upon the Parties' joint and agreed motion (Docket No. 53), this Court extended the fact discovery deadline to June 16, 2023 (Docket No. 59).

2. The Parties have actively engaged in discovery. Each party has produced many thousands of pages of documents. Since the Court granted the Parties' initial motion for an extension of time to complete discovery last November: (a) the SEC has produced an additional 195 pages of documents; (b) Defendants have provided an additional 1,721 pages of documents; (c) the SEC took the deposition of Defendants' 30(b)(6) designee; (d) Defendants served, and the SEC responded to, a third set of Interrogatories and a third set of Requests for Production (the Parties are scheduling a meet & confer regarding the responses to the third set of Requests for Production); (e) the SEC served Defendants with a notice of approximately thirty third party document subpoenas (these third party document productions are outstanding); (f) Defendants took the deposition of SEC employee Bonnie Gauch; (g) the SEC issued three third party deposition subpoenas (the Parties are still working with the witnesses to schedule these depositions); (h) Defendants served their third set of Requests to Admit on the SEC (the SEC's responses are due on June 15); and (i) Defendants served a fourth set of Requests for Production (the SEC's responses are due June 16).

3. Despite working in good faith to resolve discovery disputes, the Parties have had to brief numerous discovery motions. (*See* Docket Nos. 42, 49, 60, 74.) One motion is outstanding (*see* Docket Nos. 74, 86), while portions of an additional motion remain outstanding (*see* Docket Nos. 42, 90).

4. The Parties each believe they require additional discovery to obtain important information. For example, as the SEC indicated in the Parties' April 28, 2023 Joint Status Report, the SEC expects to notice and/or subpoena the depositions of defendant John Fife and certain current or former employees of Defendants, after the resolution of the SEC's pending motion to compel. (Docket No. 93 at 2.) In addition, as the Defendants indicated in the Parties'

April 28th Joint Status Report, the Defendants plan to subpoena the testimony of SEC Staff Accountant Craig McShane. (*Id.*)

5. In light of ongoing fact discovery and discovery disputes, the ultimate resolution of which may result in the Parties being required to provide additional discovery, the Parties believe a four-month extension of the fact discovery deadline, until October 16, 2023, is warranted.

WHEREFORE, the parties respectfully request that the Court enter an order extending the fact discovery deadline to October 16, 2023.

DATED: June 1, 2022

/s/ Ariella O. Guardi

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